

James Warmbrodt

on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION (Trustee for the Pennsylvania Housing Finance Agency, pursuant to a Trust Indenture dated as of April 1, 1982) bkgroup@kmllawgroup.com

Leon P Haller

on behalf of Creditor Pennsylvania Housing Finance Agency lhaller@pkh.com dmaurer@pkh.com;mgutshall@pkh.com

Tullio DeLuca

on behalf of Debtor 1 Jose L Roman Padilla tullio.deluca@verizon.net

United States Trustee

ustpregion03.ha.ecf@usdoj.gov

TOTAL: 5

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
JOSE L. ROMAN PADILLA : CASE 5-19-04446-MJC
a/k/a Jose Luis Roman Padilla : CHAPTER 13
a/k/a Jose Roman Padilla :
a/k/a Jose Roman :
Debtor(s) :

JOSE L. ROMAN PADILLA :
Movant :
vs. :
PENNSYLVANIA HOUSING FINANCE :
AGENCY, LUZERNE COUNTY TAX :
CLAIM BUREAU, HAZELTON CITY :
AUTHORITY, MUNICIPAL AUTHORITY :
OF HAZEL TWP., INTERNAL :
REVENUE SERVICE, PA :
DEPARTMENT OF REVENUE and :
JACK N. ZAHAROPOULOS, ESQUIRE :
Respondents :

**ORDER GRANTING DEBTOR'S MOTION FOR PRIVATE SALE OF REAL AND
PERSONAL PROPERTY FREE AND CLEAR OF ALL LIENS, CHARGES AND
ENCUMBRANCES**

Upon consideration of the within Motion and after Notice duly given to the Creditors and other parties in interest, the Debtor, Jose L. Roman Padilla, is hereby granted leave to sell real property located at 645 Lincoln St., Hazleton PA 18201 along with personal property and fixtures to Wander Confesor Joa for the sum of One Hundred Fifty Thousand (\$150,000.00) Dollars. All valid liens and encumbrances to attach to the proceeds of said sale, except the encumbrances of outstanding real estate taxes.

Further, the Debtor is granted leave to allow distribution of the proceeds of the sale at closing as follows:

- a. Any out-of-pocket expenses advanced by Tullio DeLuca, Esquire in connection with the sale of the aforementioned property, and which have not been reimbursed at the time of settlement along with an

attorney fee of \$1,500.00;

- b. Any Notarization and/or incidental recording fees associated with the sale of the above property;
- c. Realtors Commission of 6% percent;
- d. Any transfer tax which is the responsibility of the seller herein;
- e. Any unpaid real estate taxes and other municipal claims/liens arising from property;
- f. Payment in full to Pennsylvania Housing Finance Agency for both the first and second mortgages;
- g. That any other unpaid liens shall attach to the remaining sale proceeds;
- h. Debtor's exemption if any;
- i. The net sale proceeds in an amount to pay the balance owed to the Chapter 13 Trustee, if any, from the above sale shall be paid to Jack N. Zaharopoulos, Esq., Chapter 13 Trustee, for distribution to creditors in accordance with the Debtor's confirmed Plan

Further, the Debtor is allowed to escrow funds at closing for a potential capital tax gain liability.

By the Court,



Mark J. Conway, Bankruptcy Judge
Dated: July 14, 2022